IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY APPLICATION NO. 306 OF 2007
IN
COMPANY PETITION NO. 347 OF 2006

M/s. Maniyar Plast Ltd. ... Applicant.

V/s.

1. The Registrar, B.I.F.R.&
2. The Official Liquidator, High Court, Bombay. ... Respondents.

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Mr. Manish Upadhye for the Applicant.

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CORAM : DR. D.Y.CHANDRACHUD,J.

18th April 2007.

P.C. :

. The Company Application has been instituted for recalling the order dated 7th April 2006 by which the Company Petition was admitted and the order dated 14th December 2006 by which the Official Liquidator was appointed as a Provisional Liquidator.

2. In the Company Application it has been stated that the order of the B.I.F.R. dated 9th November 2005 was stayed by the A.A.I.F.R. on 24th March

2006. Moreover, Counsel appearing on behalf of the Applicant has placed on record the order of the A.A.I.F.R. dated 12th March 2007, by which the order of the B.I.F.R. was set aside and the proceedings were remitted back to the B.I.F.R. with a direction to the Operating Agency to submit a draft scheme.

3. Having regard to the fact that the order of the B.I.F.R., forms the basis of the Company Petition and the order passed therein has been set aside by the A.A.I.F.R. the Company Application will have to be allowed.

4. The Company Application is made absolute in terms of prayer clauses (a) and (b).

5. In view of the aforesaid developments in the Company Petition 347 of 2006 will not survive and is accordingly disposed of.